Elementary and Secondary Education Act (ESEA) Flexibility Request: Summary of Key Provisions

**Tribal Consultations**

Oklahoma City, OK - July 17, 2012
Flagstaff, AZ – July 20, 2012
Seattle, WA – July 24, 2012
Agenda

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- Challenges for BIE under NCLB/ESEA
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Strengthening Tribal Education

• Vision: Empower tribes to exercise greater control over education.

• BIE’s flexibility request reestablishes tribal sovereignty in two ways:

  1. Tribes may reassert sovereignty by moving away from state standards and assessments.

  2. Tribes, through the adoption of Common Core State Standards, may develop tribally focused standards addressing language, culture and history.

• Students possessing a more culturally relevant education are more likely to attain higher levels of achievement.
No Child Left Behind (NCLB)/ESEA

• NCLB is the 2001 Reauthorization of the Elementary and Secondary Education Act (ESEA).
• Established school accountability systems based primarily on state standard assessments.
• Required all students to meet rigorous testing targets in reading/language arts and mathematics.
• Set 2014 for 100% student proficiency in reading/language arts and mathematics.
Challenges for BIE under NCLB/ESEA

• NCLB mandated a Negotiated Rulemaking process to decide how BIE would implement NCLB.

• Negotiated Rulemaking final regulations directed the BIE to use the academic content standards, assessments, and accountability criteria of the state where the school is located.

• BIE consequently has 23 definitions of Adequate Yearly Progress.
ESEA Flexibility Request

• ESEA reauthorization now five years overdue.
• Secretary of Education Duncan offered flexibility from NCLB/ESEA provisions to states.
• In exchange for waivers, states committed to bold reforms around standards and accountability:
  – Raising standards
  – Improving accountability
  – Improving teacher effectiveness
• 19 of 23 states where BIE funds schools have applied for or received flexibility.
ESEA Flexibility’s Four Principles

BIE’s Flexibility Request demonstrates how it will use this flexibility to implement the following principles:

- **Principle 1**: College-and career-ready expectations for all students
- **Principle 2**: State-developed differentiated recognition, accountability, and support
- **Principle 3**: Support for effective instruction and leadership
- **Principle 4**: Reducing duplication and unnecessary burden
Principle 1: Standards and Assessments

• Adopt Common Core Standards, initially in reading/language arts and mathematics.

• Up to 15% standards to reflect tribal values.

• Employ a single assessment system for all BIE-funded schools.

• Assessment:
  – Assess all students 3 times per year
  – Assess grades 3-10 for accountability
  – Assessments used to establish growth targets
Principle 2: Differentiated Recognition, Accountability, and Support Systems

• New **Differentiated Recognition** system established: Reward, Focus, and Priority.

• New **Accountability Index** scoring indicators:
  – **Proficiency**: Student Performance on academic assessments relative to a standard
  – **Progress**: Growth in student achievement across the academic year
  – **Attendance** (K-8) and **Graduation** (10-12) rates

• Reset “Annual Measurable Objectives” (AMO).

• Provides supports for lowest performing schools and rewards for high-performing schools.
Principle 3: Teachers and Principals

• Develop evaluation and support systems:
  – Focus on effectiveness of teachers and principals
  – Inform professional development and improved practice

• Evaluation and support systems:
  – Interior policy for BIE-operated schools
  – Optional for tribally-controlled schools, except recipients of certain funds (i.e., SIG)

• Student growth data on current students:
  – Teachers of reading/language arts and mathematics
Principle 4: Reducing Duplication & Unnecessary Burden

• Evaluate current SEA’s administrative requirements:
  – Identify reporting requirements with little or no impact on student outcomes

• Based on outcome of evaluation:
  – Remove duplicative and burdensome reporting requirements
  – Lessen burden on schools
Overview of BIE’s Flexibility Request

• BIE intends to apply for a flexibility waiver.
• BIE first must amend 25 CFR 30.104(a), which requires the use of the 23 state accountability systems.
• Instead, BIE will implement a single, bureau-wide accountability system.
• Stakeholder input and tribal consultation are key components.
• BIE seeks input from tribal leaders about amending 25 CFR 30 and implementing a unified accountability system.
Benefits of ESEA Flexibility

• Student achievement becomes the focus.
• Accountability determinations will be more reflective of school performance.
• Unified accountability system – standards, assessments, and accountability criteria – will level the playing field for all BIE schools.
• The accountability system will credit successful efforts and be less punitive.
• Alignment in accountability will allow BIE to better leverage Technical Assistance and Professional Development resources.
Benefits of ESEA Flexibility

• Waiver is opportunity to effect significant reforms in BIE-funded schools, consistent with national reform movement.

• Most significant reform is unified accountability system across all BIE-funded schools in 23 states, consisting of:
  - Common Core Standards
  - Common assessments
  - Common accountability methodology
Conclusion

• Questions and clarifications
• Websites for BIE ESEA Flexibility Request: http://www.bie.edu (BIE)
• Dedicated email address to submit comments: esaconsultation@bie.edu